

Attachment 5

Planning Department Hearing Record:

Staff Report

Graphics

Correspondence



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Helping build great communities

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

MEETING DATE December 16, 2011 LOCAL EFFECTIVE DATE December 30, 2011 APPROX FINAL EFFECTIVE DATE January 20, 2012	CONTACT/PHONE Paul Sittig, Project Manager (805) 781-4374 psittig@co.slo.ca.us	APPLICANT Bonaire Investments / AT&T Mobility	FILE NO. DRC2011-00019
SUBJECT Hearing to consider a request by Bonaire Investments for a Minor Use Permit/Coastal Development Permit to allow the installation of a new unmanned wireless communications facility. The proposed development consists of construction of two 9'-7 1/2" wide by 12'-6" deep by 6' tall mechanical screens on the roof of the existing two-story building to shield twelve new 4' high panel antennas. Fifteen equipment racks will be located inside the building on the first floor in a 14' by 6' lease area, and two air conditioner condensers will be mounted on the rooftop behind the new screen walls. The project will result in approximately 30 square feet of disturbance on the 4,000 square foot parcel. The proposed project is within the Office/Professional land use category and is located at 1320 Van Beurden Drive, in the community of Los Osos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2011-00019 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on November 10, 2011 (ED11-069).			
LAND USE CATEGORY Office/Professional	COMBINING DESIGNATION Local Coastal Plan, Central Business District, Archaeologically Sensitive Area	ASSESSOR PARCEL NUMBER 074-314-018	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: None are applicable to the proposed project. <i>Does the project meet applicable Planning Area Standards:</i> Not applicable			
LAND USE ORDINANCE STANDARDS: Communications facilities. <i>Does the project conform to the Land Use Ordinance Standards:</i> Yes - see discussion			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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EXISTING USES: Multi-unit commercial building	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Commercial Retail / retail complex <i>East:</i> Office/Professional / undeveloped <i>South:</i> Office/Professional / undeveloped <i>West:</i> Office/Professional/ office building, undeveloped	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Los Osos Community Advisory Council, Public Works, Building Division, Air Pollution Control Board (APCD), Los Osos Community Services District, Regional Water Quality Control Board, and California Department of Transportation.	
TOPOGRAPHY: Gently sloping	VEGETATION: Oak scrub
PROPOSED SERVICES: Water supply: Not applicable Sewage Disposal: Not applicable Fire Protection: CalFire	ACCEPTANCE DATE: October 24, 2011

DISCUSSION

PROPOSED PROJECT:

The proposed project is for the construction of a new wireless communications facility on top of and within an existing two-story commercial building. The existing building was previously approved under Development Plan D960312D. The new project consists of:

- Construction of two (2) new 9'-7 1/2" wide by 12'-6" deep by 6' tall radio frequency (RF) transparent mechanical screens on the roof of the existing two-story building, on the north and south sides of the existing roof-top cupola;
- Installation of twelve (12) new 4'-3" high x 12" wide x 6" deep antennas, four (4) per sector, mounted behind the new RF transparent mechanical screens;
- Installation of twenty four (24) new coaxial cable runs (two per each new antenna), behind the new screens and inside the existing building;
- Installation of fourteen (14) 2' x 2' equipment racks on the first story in a 14'-6" by 10'-9" lease area; and
- Installation of two (2) new 3' x 4' air conditioning condensers, mounted on the rooftop behind the new screen walls.

All equipment will be located either inside the existing building or behind the proposed equipment screen.

COMBINING DESIGNATIONS:

The project parcel is within a mapped Archaeologically Sensitive area. As the proposed project is limited to the rooftop of an existing structure and will result in no ground disturbance, the resources will not be impacted by the project.

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PLANNING AREA STANDARDS:

There are no applicable standards.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.08.284: Communication Facilities

This section of the ordinance describes specific permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. The requirements of this section apply to communications transmission and receiving facilities in addition to all applicable permit requirements and standards of the FCC. As described below, the proposed project meets these requirements:

Radio Frequency Analysis

Section 23.08.284b.(2)(ii) requires applications for communications facilities to include estimates of maximum electric and magnetic field strengths at the edge of the facility site and the extent that measurable fields extend in all directions from the facility.

The project complies with this requirement because the applicant supplied a report to evaluate the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (*Hammett & Edison; September 23, 2011*), the maximum ambient RF exposure level due to the proposed operation was calculated to be 5.3 percent of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building is 9.6 percent of the public exposure limit, and the maximum calculated level at the second-floor elevation of any nearby residence (located at least 300 feet away) is 2.9 percent. As the project area is not publicly accessible, no mitigation measures are necessary.

Permit Requirements

Section 23.08.284b.(1)(i) requires Minor Use Permit approval for proposed wireless communications facilities that are on existing structures (buildings, water tanks, signs etc.), existing electric transmission towers, or any other applicable existing structure. Conditional use permit approval is required for all other communications facilities.

The project requires Minor Use Permit approval because it will modify the existing cupola to screen the proposed facility from public view. The new screening would match the appearance of the existing building and would be below the peak of the existing cupola.

Development Standards

According to Section 23.08.284b.(3), the preferred placement for new wireless communication facilities is on existing structures, completely hidden from public view or painted and blended to match existing structures. In addition, all facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (e.g. windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.

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The proposed project complies with this standard because the twelve (12) new panel antennas will be shielded from view by the equipment screen. This screen is designed to blend with the architecture of the existing building.

Unused Facilities

Section 23.08.284b.(4) requires all obsolete or unused facilities to be removed within six (6) months of cessation of communication operations at the site.

The project is consistent with this standard because the applicant is required to enter into a performance agreement and financial instrument for site restoration.

COASTAL PLAN POLICIES:

Shoreline Access: N/A
Recreation and Visitor Serving: N/A
Energy and Industrial Development: N/A
Commercial Fishing, Recreational Boating and Port Facilities: N/A
Environmentally Sensitive Habitats: N/A
Agriculture: N/A
Public Works: N/A
Coastal Watersheds: N/A
Visual and Scenic Resources: ☒ Policy No(s): 2
Hazards: N/A
Archeology: N/A
Air Quality: N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Visual and Scenic Resources

Policy 2: Site Selection for New Development. Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. The proposed project is consistent with this policy since it would be integrated into the architecture of an existing office building, and would not block views of the ocean or other scenic coastal resources.

COMMUNITY ADVISORY GROUP COMMENTS:

Per comments received by email on November 4, 2011 from the Chair of the Land Use Committee for the Los Osos Community Advisory Council, the Land Use Committee recommended approval of the project.

AGENCY REVIEW:

Public Works – per referral response dated October 3, 2011: No concerns.

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Building Department – per referral response dated October 18, 2011: There are no Building Division Comments to be incorporated into the Conditions.

Environmental Health – *no comments received prior to November 18, 2011*

Air Pollution Control Board – *no comments received prior to November 18, 2011.*

Los Osos Community Services District – *no comments received prior to November 18, 2011.*

Regional Water Quality Control Board – *no comments received prior to November 18, 2011.*

California Department of Transportation – *no comments received prior to November 18, 2011.*

LEGAL LOT STATUS:

The existing lot was legally created by deed at a time when that was a legal method of creating lots.

Staff report prepared by Paul Sittig and reviewed by Airlin M. Singewald.

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EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3, ED11-069) pursuant to CEQA Guidelines Section 15303 because the proposed facility is minor in nature, located on an existing building, not visible from the ocean or public roads, involves no site disturbance, and will not require the removal of any native vegetation.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the new, screened unmanned wireless communications facility located on and within an existing building does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the addition of an existing unmanned wireless communications facility behind screening on top of an existing building is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Van Beurden Drive, a local road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes a Minor Use Permit /Coastal Development Permit to allow a new wireless communications facility. The project will result in no site disturbance. The project consists of the following improvements:
 - a. Construction of two (2) new 9'-7 1/2" wide by 12'-6" deep by 6' tall radio frequency (RF) transparent mechanical screens on the roof of the existing two-story building, on the north and south sides of the existing roof-top cupola. These mechanical screens shall be designed to seamlessly match the color, materials, and architectural style of the existing office building;
 - b. Installation of twelve (12) new 4' high antennas, four (4) per sector, mounted behind the new RF transparent mechanical screens. These antennas shall be completely screened from all public views.;
 - c. Installation of twenty four (24) new coaxial cable runs (two per each new antenna), behind the new screens and inside the existing building. These coaxial cables shall not be visible from the building exterior.;
 - d. Installation of fourteen (14) 2' by 2' equipment racks, to be located on the first story in a 14' by 6' lease area. These equipment racks shall not be visible from the building exterior; and
 - e. Installation of two (2) new AC condensers, mounted on the rooftop behind the new screen walls. These units shall not be visible from the building exterior.

Conditions required to be completed at the time of application for construction permits

Site Development

2. At the time of application for construction permits, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.

Fire Safety

3. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by CalFire for this proposed project.

Conditions to be completed prior to issuance of a construction permit

Condition Compliance Coordinator

4. **Prior to issuance of a construction permit**, a "condition compliance" sheet shall be added to construction plans, which shall include a complete copy of the final conditions of approval for the project.
5. **Prior to issuance of a construction permit**, the applicant shall identify a Condition Compliance Coordinator (CCC) to ensure all conditions of approval and mitigation requirements are met. The CCC shall be the County's contact and shall be responsible to ensure all mitigation requirements are met. A pre-construction meeting shall take

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place between the CCC and the County to review the application and establish the responsibility and authority of the participants.

Aesthetic/Visual Resources

6. **Prior to issuance of a construction permit**, the applicant shall submit a color board for all proposed improvements (including, but not limited to, equipment screens, antennas, coaxial cables, associated mounting brackets, etc.). The color(s) to be used shall match the finish and appearance of the existing building.
7. **Prior to issuance of a construction permit**, the applicant shall submit a materials board for the proposed RF transparent screen wall. The material to be used shall match the architectural style, finish, and texture of the existing building siding.

Hazards/Hazardous Materials

8. **Prior to issuance of a construction permit**, the applicant shall submit for review and approval a Hazardous Materials Business Plan for the proposed wireless communications facility to the County Environmental Health office for review and approval.

Site Restoration

9. **Prior to issuance of a construction permit**, the applicant shall post a performance agreement and financial instrument with the County in an amount commensurate with the cost of facility removal and site restoration. The performance agreement and financial instrument shall be released by the County at the time the facility is removed and the site is restored.

Conditions to be completed prior to occupancy or final building inspection

10. **Prior to final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of approval.
11. The facility shall not be operated until all conditions of approval have been met and all required building permits have received final inspection.

Aesthetic/Visual Resources

12. **Prior to final inspection**, the applicant shall paint all proposed improvements (including, but not limited to equipment screens, antennas, coaxial cables, and associated mounting brackets) the color and finish approved by the Department of Planning and Building. Repainting shall occur as necessary.

Explanatory Warning Signs for Occupational Exposures

13. **Prior to final inspection**, explanatory warning signs* to prevent occupational exposures in excess of the FCC guidelines are to be posted at the site entrance gate and on or at the barrier fence and antennas such that they would be readily visible from any angle of approach to persons who might need to work near the antennas. [*Warning signs should comply with ANSI C95.2 color, symbol, and content conventions. In addition, contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas.]

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Hazardous Materials

14. **Prior to final inspection**, the applicant shall provide verification from Environmental Health that the Hazardous Materials Business Plan has been implemented.

Mitigation Monitoring/Condition Compliance

15. **Prior to final inspection**, the CCC will incorporate the findings of the monitoring effort into a final comprehensive construction monitoring report to be submitted to the County of San Luis Obispo.

On-going conditions of approval (valid for the life of the project)

16. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
17. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.
18. All obsolete or used facilities shall be removed within twelve months of cessation of the applicant's wireless communication operations on the site. The applicant shall be responsible for the removal of such facility and all associated structures and restoration of the site to pre-project condition. At the time the use of the facility is discontinued the owner of the facility must notify the Department of Planning and Building.

Visual/Aesthetic Resources

19. The approved colors shall be maintained for the life of the project. Repainting and maintenance shall occur as necessary.
20. If new technology is developed that reduces the impacts of the proposed project, the applicant agrees to install such improvements within 6 months of notification by the county.

Co-location

21. The applicant agrees to allow other carriers to co-locate at this site, if technically feasible, subject to land use permit approval.

Electric and Magnetic Fields

22. The facility shall be designed and operated to ensure that power densities received from transmissions, with all transmitters at the site transmitting at full power, will comply with federal law and regulation.

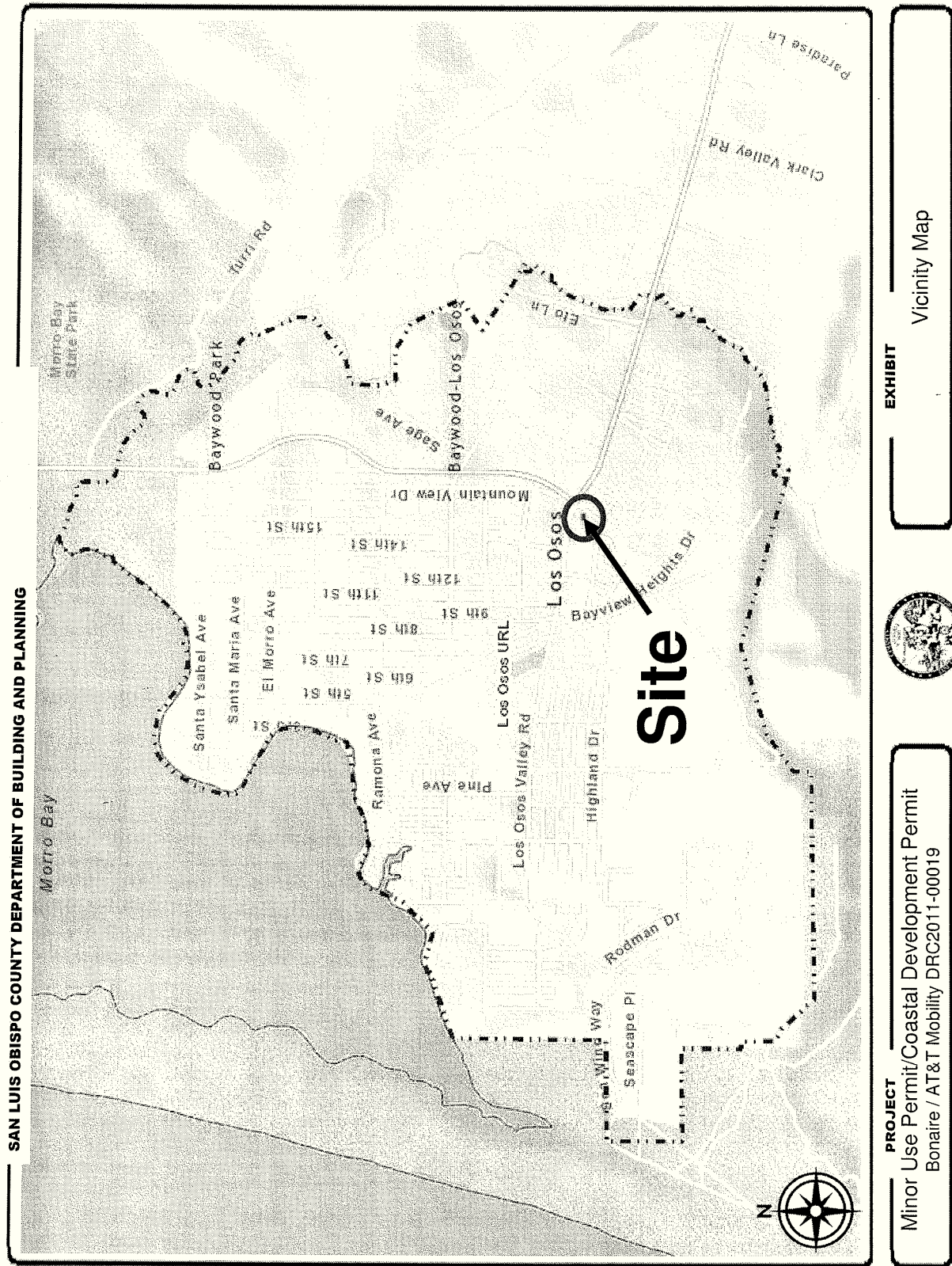
Lighting

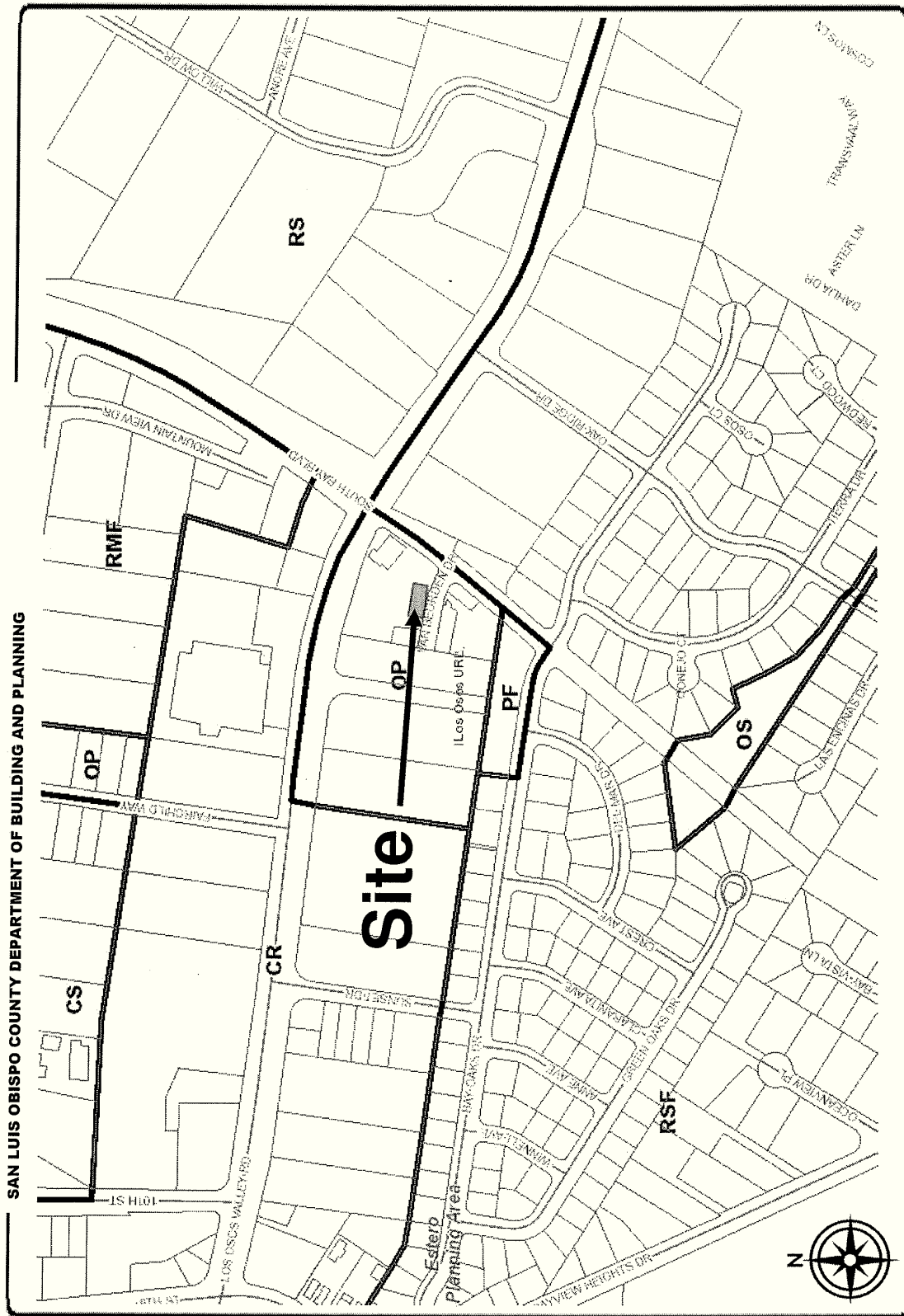
23. No exterior lighting is approved for the project.

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Noise

24. HVAC units shall be sound attenuated to meet applicable County and State exterior noise standards, if applicable. The project shall be maintained in compliance with the county Noise Element (including emergency generators). Any back-up or emergency generators shall have a noise baffle cover and shall not exceed a maximum noise level of 65 dbl. at a distance of 50 feet from the generator.





SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

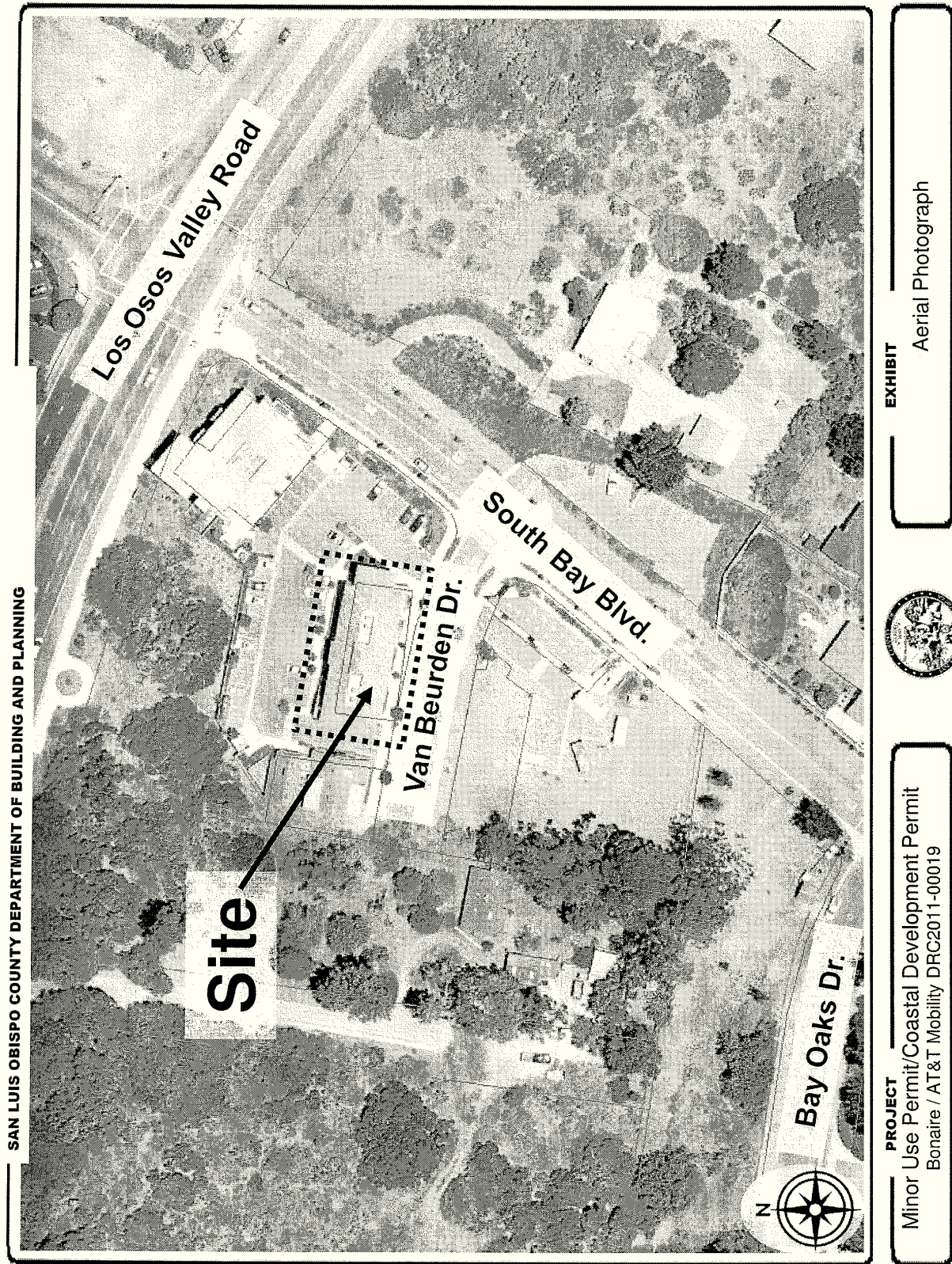
EXHIBIT

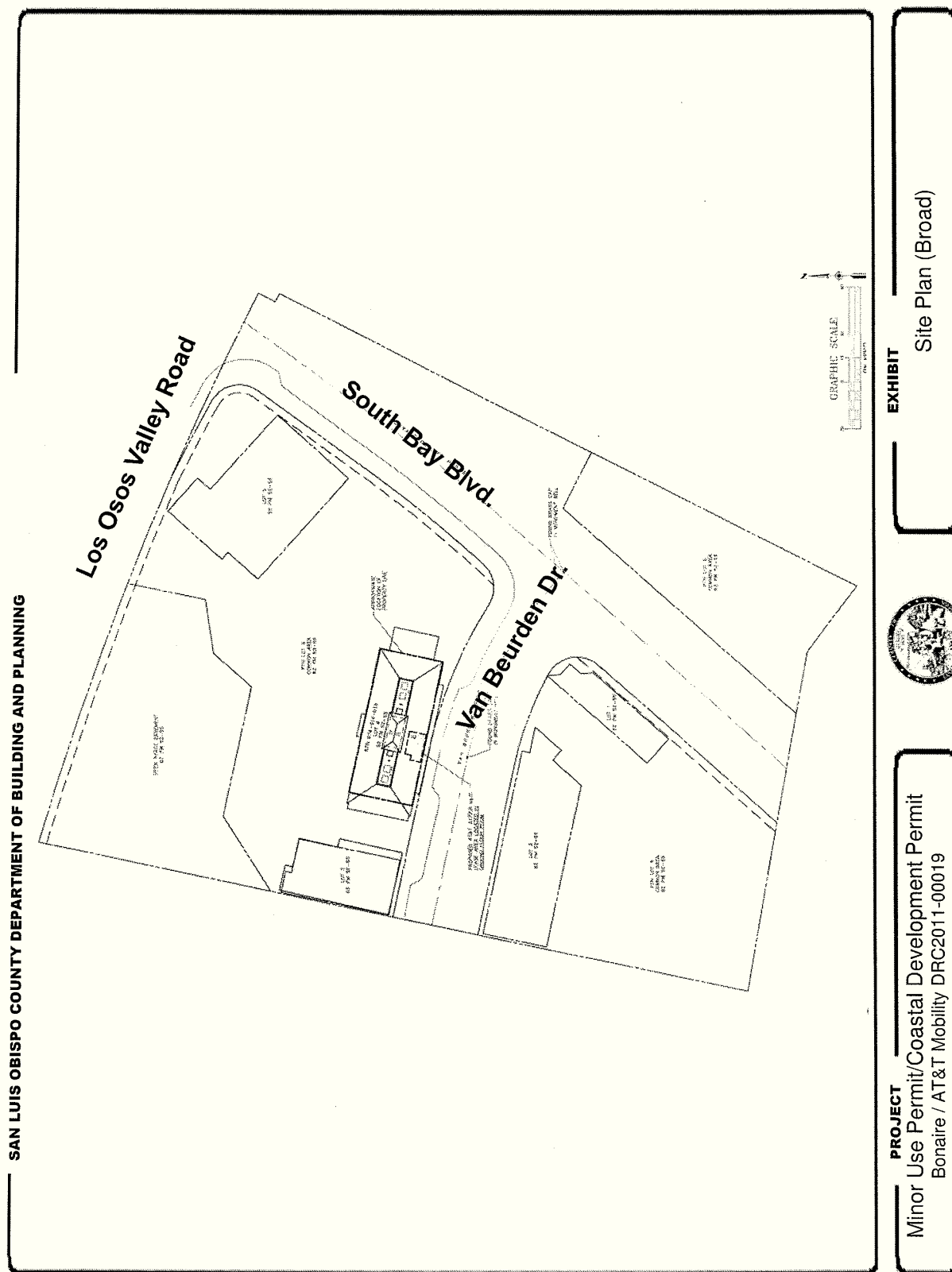
Land Use Category Map



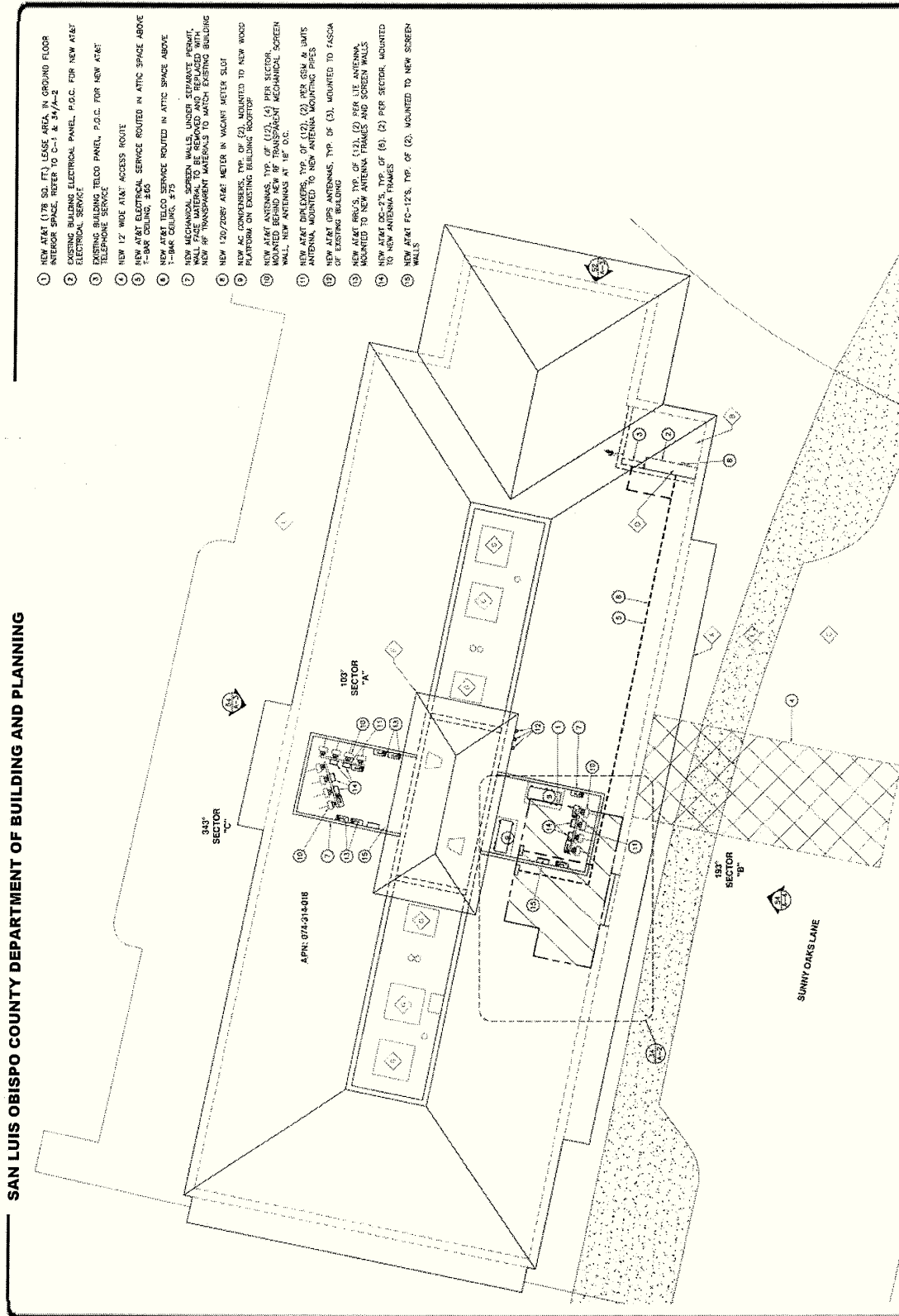
PROJECT

Minor Use Permit/Coastal Development Permit
Bonaire / AT&T Mobility DRC2011-00019





SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



- 1 NEW AT&T (178 SQ. FT.) LEASE AREA, IN GROUND FLOOR INTERIOR SPACE, REFER TO C-1 & 34/A-2
- 2 EXISTING BUILDING ELECTRICAL PANEL, P.O.C. FOR NEW AT&T ELECTRICAL SERVICE
- 3 EXISTING BUILDING TELCO PANEL, P.O.C. FOR NEW AT&T TELEPHONE SERVICE
- 4 NEW 12" WIDE AT&T ACCESS ROUTE
- 5 NEW AT&T ELECTRICAL SERVICE ROUTED IN ATTIC SPACE ABOVE 1" BOX CEILING, 240
- 6 NEW AT&T TELCO SERVICE ROUTED IN ATTIC SPACE ABOVE 1" BOX CEILING, 240
- 7 NEW 12" WIDE AT&T ACCESS ROUTE
- 8 NEW 120/208V AT&T METER IN VACUITY METER SLOT
- 9 NEW AC CONDENSERS, TYP. OF (2), MOUNTED TO NEW WOOD FLOORING ON EXISTING BUILDING ROOFTOP
- 10 NEW AT&T ANTENNAS, TYP. OF (12), (4) PER SECTOR WALL, NEW ANTENNAS AT 18" O.C.
- 11 NEW AT&T DISCRETS, TYP. OF (12), (2) PER CELL & JUMPS ANTENNA, MOUNTED TO NEW ANTENNA MOUNTING PIPES OF EXISTING BUILDING
- 12 NEW AT&T OPS ANTENNAS, TYP. OF (3), MOUNTED TO FASCIA OF EXISTING BUILDING
- 13 NEW AT&T OPS ANTENNAS, TYP. OF (13), (2) PER LIE ANTENNA, MOUNTED TO NEW ANTENNA FRAMES AND SCREEN WALLS
- 14 NEW AT&T OPS ANTENNAS, TYP. OF (6), (2) PER SECTOR, MOUNTED TO NEW ANTENNA FRAMES
- 15 NEW AT&T OPS ANTENNAS, TYP. OF (2), MOUNTED TO NEW SCREEN WALLS

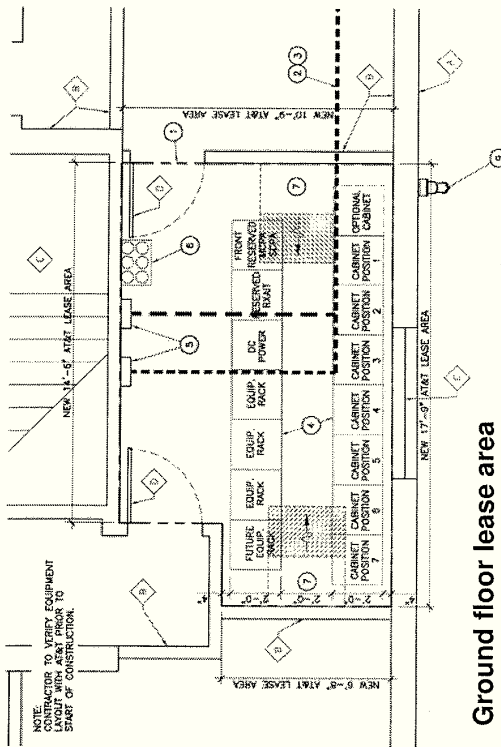
EXHIBIT

Site Plan (Detail)

PROJECT

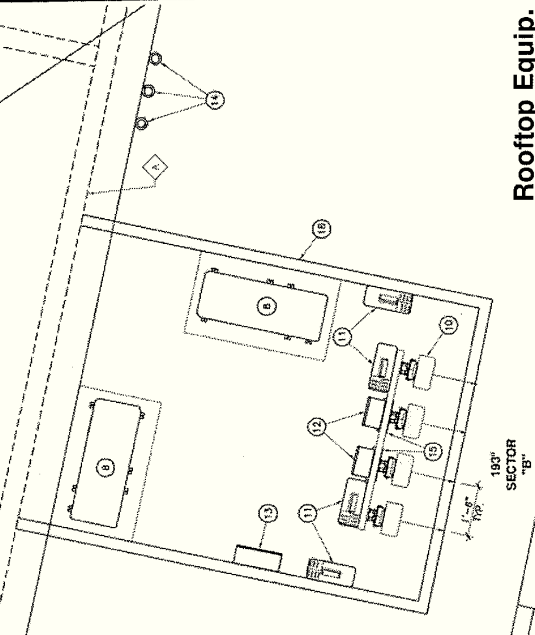
Minor Use Permit/Coastal Development Permit
Bonaire / AT&T Mobility DRC2011-00019



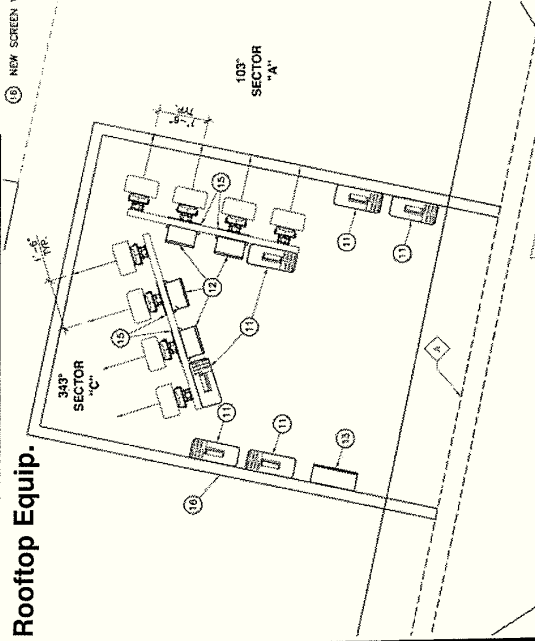


Ground floor lease area

Rooftop Equip.



Rooftop Equip.



EXHIBIT

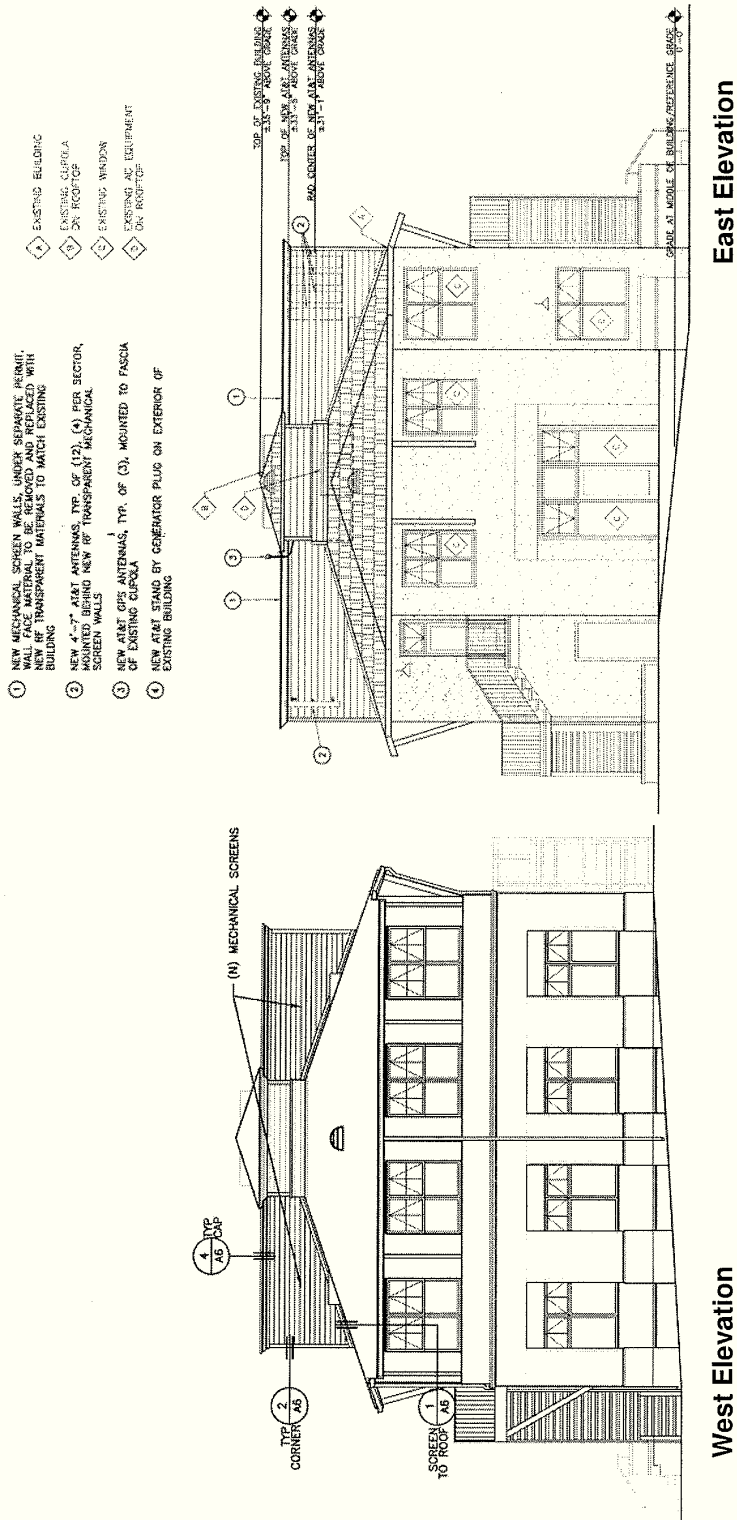
Ground Floor Lease Area and Rooftop Equipment



PROJECT

PROJECT
Minor Use Permit/Coastal Development Permit
Bonaire / AT&T Mobility DRC2011-00019

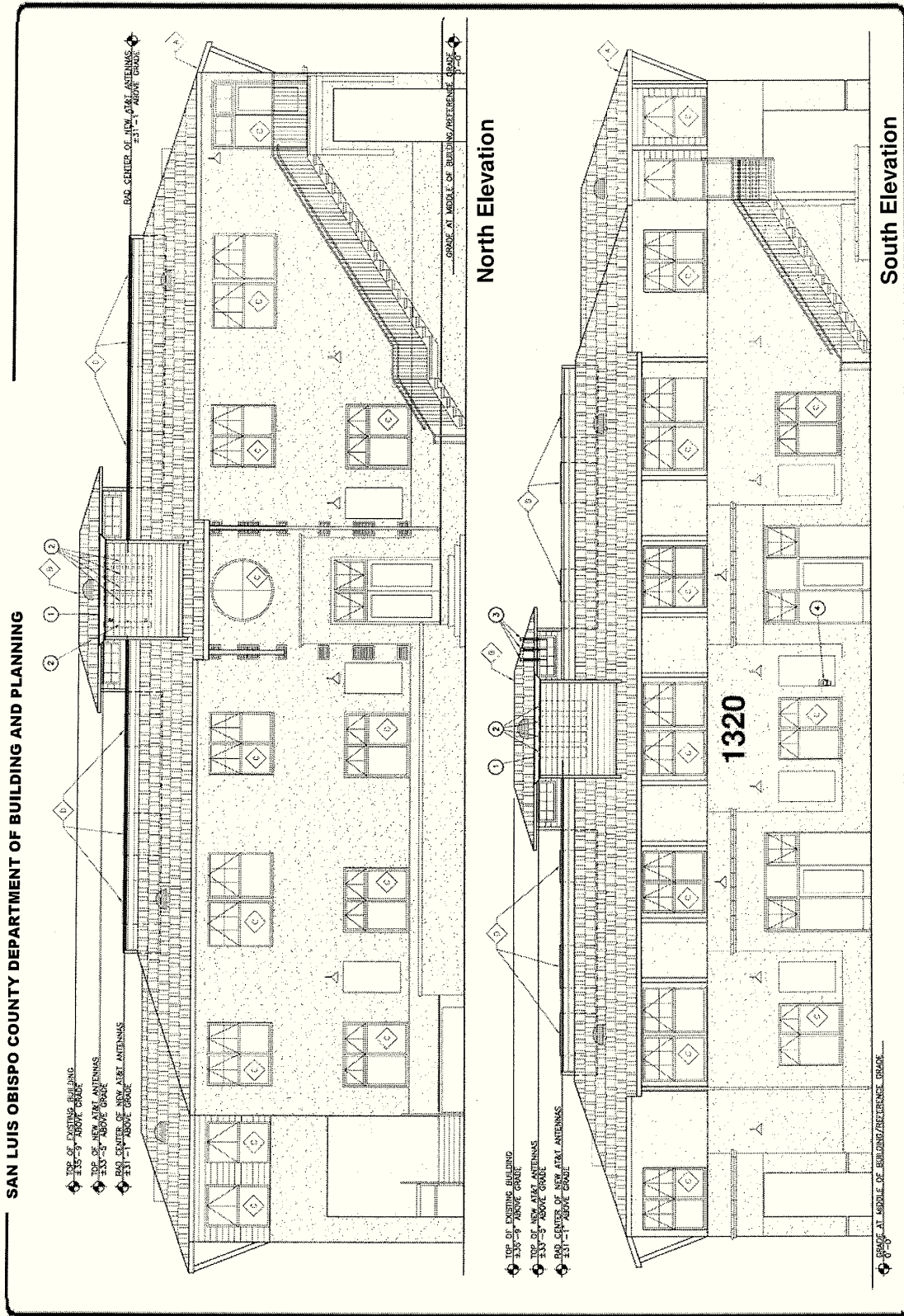
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT
Minor Use Permit/Coastal Development Permit
Bonaire / AT&T Mobility DRC2011-00019

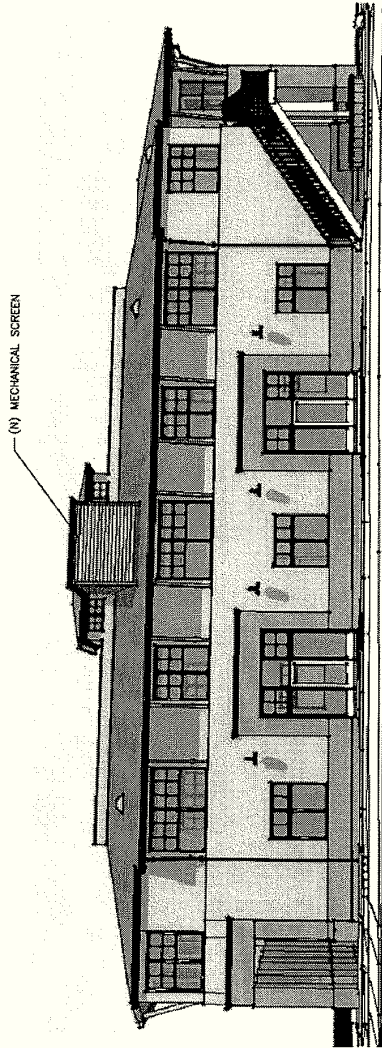


EXHIBIT
West and East Elevations



<p>PROJECT</p> <p>Minor Use Permit/Coastal Development Permit Bonaire / AT&T Mobility DRC2011-00019</p>		<p>EXHIBIT</p> <p>North and South Elevations</p>
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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



1 PERSPECTIVE VIEW FROM SOUTH



2 PERSPECTIVE VIEW FROM SOUTH EAST

3 PERSPECTIVE VIEW FROM NORTH EAST

PROJECT

Minor Use Permit/Coastal Development Permit
Bonaire / AT&T Mobility DRC2011-00019

EXHIBIT

Elevation Renderings



December 5, 2011

Paul Sittig
County of San Luis Obispo
Planning & Building Dept.
976 Osos St. Room 300
San Luis Obispo, CA 93408

Dear Mr. Sittig,

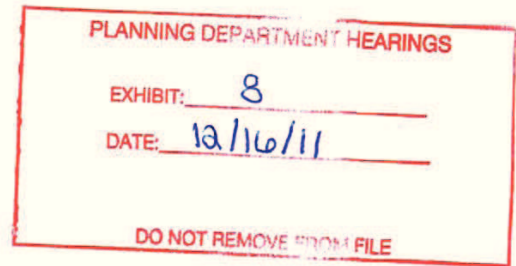
This is regarding the request by Bonaire Investments for a Minor Use Permit/Coastal Development Permit to allow the installation of a new unmanned wireless communications facility [County File Number: DRC2011-00019, Supervisorial District 2, Assessor Parcel Number: 074-314-018].

I would like to request a hearing on this matter.

We are the owners of the residential property at 2230 South Bay Blvd., Los Osos (APN: 074-314-012) which is adjacent to the commercial property owned by Bonaire Investments.


Gerd Kanning


Rosalie Kanning



December 16, 2011

Paul Sittig, Project Manager
San Luis Obispo County
Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408

Re: BONAIRE INVESTMENTS – County File Number: DRC2011-00018

Hearing Officer and County representatives,

Our family has owned the property at 2230 South Bay Boulevard since 1957. I helped my father build our house at that time and lived there during my high school and college years. It was a rural chaparral area with a beautiful view of Morro Rock and the bay. My mother lived at our home until just before her death in 1995, after which time we began renting it.

At that time, the property adjacent to ours was undeveloped, and like ours, was zoned for residential use. When Bonaire Investments purchased it, they had it rezoned for commercial use, and began developing the parcel into a business center/office complex. The extension of South Bay Blvd. then became the dividing line between commercial and residential zones. Our residential property was negatively impacted by the construction of a new road and two-story buildings that now block our once-unobstructed view of the ocean.

A few years ago, Bonaire and Sprint applied for approval of a cell tower on the same parcel. That request was denied when citizens complained about the large unsightly cell tower and the fact that there were other existing facilities. Many citizens also spoke out about health concerns related to electromagnetic radiation. When our tenants became aware of the possibility of the Sprint cell installation so close to our house, they vacated the property.

Now we are faced with an attempt by Bonaire to contract with another cell company, AT&T. They want to install cell phone antennas on the roof of one of the two-story buildings. The proposed location is very close to our home, and because our house is located on a small hill, this puts the antennas at the same elevation as the house. Our current tenants are very concerned about the possible AT&T installation and also would relocate if this were approved. The applicants may deny health risks regarding cell signals, but citizen concerns are real, and potential tenants' and potential buyers' concerns are substantial, whether health risks are real or perceived.

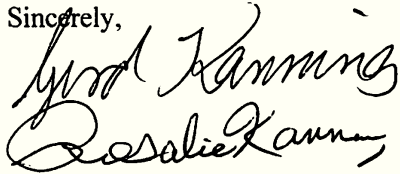
We ask that the County consider the negative financial impact this would have on us. It would make it difficult to find tenants willing to live so close to cell antennas and would reduce our property value.

We ask that the Board deny the application and that the applicant find a more suitable location for the installation of cell phone antennas which would not be so close to residences. I would like to note that there is an error in the Staff Report, where our property, which is located adjacent and east of the project site, is described as zoned for commercial use. Our lot is zoned Residential Single-Family and has been since we built our home in 1957.

Regarding the feasibility of alternative locations, per County Code Section 23.08.284 b.(2)(iii), the applicant must provide evidence that they attempted to lease space on an existing facility before considering new locations. It is our understanding that there are currently two other towers located nearby. Per the County Code, the applicant must provide written notification of refusals by existing structure owners to lease space on their existing facilities. We requested this documentation prior to the hearing, but have not received it. It was also not mentioned in the Staff Report, and we would like to request this documentation again.

We believe that where a commercial use interfaces with a residential use, there should be more sensitivity around land use compatibility. If there is inadequate coverage for AT&T users at the present time in our area, a different cell antenna location should be chosen.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature is 'Gerd Kanning' and the second is 'Rosalie Kanning'. Both are written in a cursive, flowing style.

Gerd and Rosalie Kanning
Property Owners: 2230 South Bay Boulevard
Los Osos, CA 93402